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Attorney for Defendant
DARRYL MCQUILLION

THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

THE UNITED STATES OF AMERICA,)	Case No.: No. CR-01-00423-JSW
Plaintiff,)	
vs.)	
DARRYL MCQUILLION,)	STIPULATION AND PROPOSED
Defendant)	ORDER

The parties hereby stipulate that good cause exists to continue the currently scheduled December 4, 2008 change of plea hearing until January 15, 2009 due to the need for further preparation of counsel and the unavailability of counsel because of jury selection set for December 4, 2008 in the case of U.S. v. Anyanwu, CR-07-0677.

The parties further agree that time continues to be excludable under 18 USC § 3161(h)(8)(A) and (B) as delay resulting from a continuance granted by a judge at the request of the defendant and his counsel, based upon a finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial. The reasons for such finding that the ends of justice served by the granting

of this continuance outweighs the best interests of the public and the defendant in a speedy trial results from consideration of factors set forth at 18 USC Section 3161(h)(8)(B)(iv), insofar as the failure to grant such a continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation for the hearing presently set, taking into account the exercise of due diligence. Specifically, this case involves voluminous wiretaps and events that occurred many years ago. Defendant's memory of these events is somewhat less vivid than it was in the period immediately following the indictments, and counsel must review the government's plea offer and supporting discovery to determine in conjunction with the defendant that there exists a factual basis for the disposition contemplated by the parties.

It is so stipulated.

Dated: December 4, 2008

/S/
SUSAN JERICH
Attorney for Plaintiff United States of America

It is so stipulated.

Dated: December 4, 2008

/S/
HAROLD ROSENTHAL
Attorney for Defendant DARRYL
MCQUILLION

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It is so ORDERED, and the Court makes the findings set forth in the above stipulation.

Dated: December 4, 2008



THE HONORABLE JEFFREY S. WHITE
Judge of the United States District Court for the
Northern District of California